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**MINUTES OF THE HEARING ON THE PETITION BY HEARING # 10-07  
99 PARKER STREET LLC**

**(SESSION #2)**

A public hearing of the Acton Board of Appeals was held in the Town Hall on Monday, August 2, 2010 at 7:30 pm. on the application of 99 Parker Street LLC for approval of a Comprehensive Permit on a parcel of land located at 99 Parker Street, Acton, MA, Map I3/Parcel 8 of the Acton Town Atlas. The petitioner is proposing five single family dwelling units with two of the units being affordable.

Present at the hearing were Kenneth Kozik, Chairperson; Jonathan Wagner, Member; Adam Hoffman, Alternate Member; Scott Mutch, Zoning Enforcement Officer; and Cheryl Frazier, Board of Appeals Secretary. Also present at the hearing was Mark Starr, Petitioner; abutters, Joan and Rodger Klopff of 97 Parker Street.

Ken Kozik reopened hearing #10-07. The last time the Board met they opened the hearing and discussed staff comments that needed to be addressed. The Board did a site walk on Friday, August 23<sup>rd</sup> and at that time were handed a memo from Meridian Engineering. The memo from Meridian was submitted to the town by email on July 27<sup>th</sup>. The only other comments in the file were a memo from Scott Mutch of the Planning Department. The Engineering Dept. was on vacation when the Meridian memo came in so they have not yet been addressed. Ken said from what he remembers from the site walk that they were requesting waivers in response.

Scott went over his memo briefly. He said the applicant's response letter proposes to address a number of the Engineering Department's outstanding issues/concerns by adding notes to or making the requested changes on a Final Set of Plans. He recommends that all requested plan modifications be made by the applicant at this time. Revised plans should be submitted to the BOA allowing for review and comment before closing the public hearing. This allows for any potential Comprehensive Permit to be as short, clear and concise as possible.

Ken asked the petitioner to begin. Mark Starr began by first saying he appreciates the Board and all that they've done in this very long process. It is now in the Boards hands to shorten the process. He understands the Board needs to go with Scott's recommendations on his petition, but the best way to get more developers involved in this process is to make the process and the time frame work better for the developer's. He understands the Boards hands are tied with the process and he's not blaming them at all and doesn't want them to take it the wrong way.

Jon Wagner feels that the issues could be addressed in two weeks. He asked Scott if that is a reasonable amount of time for staff. Scott felt it was possible.


Ken asked if the public had any comments or concerns. Joan Klof of 97 Parker Street, abutter to the property, submitted a letter to the Board. The letter addressed a couple of their issues. They would like measures to be taken during the construction to secure their property from any damages that may occur and if there are any issues they will be taken care of by the appropriate party. The second issue is upon completion of the construction, a landscape plan will be developed for proper screening between their home and the new homes.

Nancy Tavernier was unable to attend tonight she's away. Bernice from the ACHC is here on her behalf and she asked the Board if they would take into consideration moving things ahead and approving this petition.

Ken made a motion to continue Hearing #10-07 to 7:30 pm on August 16<sup>th</sup> at Town Hall in Room 204.

Respectfully submitted,

  
Cheryl Frazier  
Board of Appeals Secretary

  
Ken Kozik  
Chairman, Board of Appeals